

REMARKS

Twenty-one claims (15, 17, 18, 23, 27-31, 33, 34, 37, 38, 41 and 43-49) are pending after amendments. Claim 34 has been amended to conform with the USPTO guidelines.

Rejection to Claims 34, 37-38, 41 and 43-49 under 35 U.S.C. 101 as non-statutory


The examiner rejects claim 34 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter because the claim fails to place the invention squarely within one statutory class of invention. The examiner further states that the instant specification has not specifically defined the term “computer readable medium” and absent a definition, the term can broadly and reasonably be interpreted to include signals, which do not fall within any of the four statutory categories of invention as defined by the courts. However, the examiner also states that amending the claim to recite “non-transitory computer readable medium” as per current USPTO guidelines would overcome the objection.

The examiner also rejects claims 37-38, 41 and 43-49 under 35 U.S.C. 101 as non-statutory for the reason stated above.

The applicant believes that the rejection has been traversed by the current claim amendments. The term “computer readable medium” in claim 34 has been replaced with the term “non-transitory computer readable medium”. Claims 37-38, 41 and 43-49 are dependent, directly or indirectly, on the amended claim 34. Therefore applicant respectfully submits that claims 34, 37-38, 41 and 43-49 are in condition of allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

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Respectfully submitted,
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